

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JUAN C. MEDINA,

Plaintiff,

v.

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SANTA BARBARA, ET  
AL.,

Defendants.

Case No. 1:20-cv-0636 JLT HBK (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS IN FULL,  
DISMISSING THE ACTION WITHOUT  
PREJUDICE, AND DIRECTING THE CLERK  
OF COURT TO CLOSE THIS CASE

(Doc. 15)

The assigned magistrate judge reviewed the allegations of Plaintiff's complaint pursuant to 28 U.S.C. § 1915A. (Doc. 13.) The magistrate judge found that it appeared Plaintiff raised many unrelated claims, which concerning both his conditions of confinement and the legality of his confinement. (*Id.* at 4-8.) The magistrate judge determined Plaintiff failed to state a cognizable claim under 42 U.S.C. § 1983, and "[t]o the extent Plaintiff seeks to challenge the legality or duration of his confinement it is not appropriate to do so in a Section 1983 action." (*See id.*; *see also id.* at 8.) The magistrate judge granted Plaintiff 21 days to: (1) file an amended complaint, (2) stand on his complaint as screened subject to the magistrate judge recommending dismissal, or (3) voluntarily dismiss the case. (*Id.* at 9.)

After Plaintiff failed to file any response, the magistrate judge issued Findings and Recommendations on April 10, 2023, recommending that the case be dismissed without prejudice

1 for Plaintiff's failure to prosecute. (Doc. 15.) The Court granted Plaintiff 14 days to file  
2 objections and advised him that the failure to do so "within the specified time may result in the  
3 waiver of his rights on appeal." (*Id.* at 4-5, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th  
4 Cir. 2014).) Plaintiff did not file any objections, and the time to do so has passed.

5 According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this  
6 case. Having carefully reviewed the entire matter, the Court concludes the Findings and  
7 Recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 8 1. The Findings and Recommendations issued on April 10, 2023 (Doc. 15) are  
9 **ADOPTED** in full.
- 10 2. The action is **DISMISSED** without prejudice.
- 11 3. The Clerk of Court is directed to close this case.

12  
13 IT IS SO ORDERED.

14 Dated: **May 2, 2023**

  
UNITED STATES DISTRICT JUDGE